IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

RONALD TUSSEY, ET AL.)
Plaintiffs,))
v.) Case No. 2:06-CV-04305-NKL
ABB, INC., et al.,)
Defendants.)

ORDER

Pending before the Court is Plaintiffs' Motion for Prejudgment Interest [Doc. # 630]. On June 21, 2012, this Court granted the Motion in part and denied it in part.

[Doc. # 688]. The Court requested Plaintiffs and Defendant ABB to submit new calculations for the total amount of prejudgment interest owed by ABB, and informed Plaintiffs it would adopt the figure provided by Defendant Fidelity unless Plaintiffs submitted timely objections.

Plaintiffs and Defendant ABB submitted new calculations for the total amount of prejudgment interest owed by ABB, computing interest on the award of \$35.2 million against ABB using the interest rate of 0.18%. This interest was calculated from the close of trial (January 28, 2010) to the date of entry of judgment (March 31, 2012), and the accrued interest was compounded annually. Based on these calculations, ABB is responsible for \$137,599.12 in prejudgment interest.

Additionally, Plaintiffs do not object to the interest figure provided by Fidelity,

\$6,645.42. Therefore, this amount of prejudgment interest is awarded against Fidelity.

In sum, Defendant ABB is responsible for \$137,599.12 in prejudgment interest, and Defendant Fidelity is responsible for \$6,645.42 in prejudgment interest.

It is so ordered.

s/ Nanette LaughreyNANETTE K. LAUGHREYUnited States District Judge

Dated: <u>December 10, 2012</u> Jefferson City, Missouri